

ZONING CHANGE REVIEW SHEET

CASE: C14-2022-0055 (803 /803 ½ West Ave) DISTRICT: 9

ADDRESS: 803 and 803 ½ West Avenue

ZONING FROM: MF-4

TO: ~~GO~~ DMU*

*On June 15, 2022, the applicant submitted a letter amending their request from GO to DMU (*please see Applicant's Amendment Request Letter - Exhibit D*).

SITE AREA: 0.3085 acres

PROPERTY OWNER: Helen Ingram and Edsam Ingram

AGENT: Harrison Pearson & Assoc. Inc. (Samuel T. Pritchard)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, sherri.sirwaitis@austintexas.gov)

STAFF RECOMMEDATION:

Staff recommends DMU-CO, Downtown Mixed Use-Conditional Overlay Combining District, zoning. The conditional overlay will limit the height on the property to a maximum of 60 feet.

PLANNING COMMISSION ACTION / RECOMMENDATION:

July 12, 2022: Approved staff's recommendation of DMU-CO zoning by consent (9-0, Y. Flores, J. Mushtaler, S. Praxis, C. Llanes-Pulido-absent); J. Shieh-1st, J. Thompson-2nd.

CITY COUNCIL ACTION:

September 1, 2022

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The two lots under consideration are developed with single family residential homes. There are Personal Services (West End Salon and Crimson Hair Salon) to the north and west. The lots to the east are developed with office uses. To the south, there is an office use and a residence. The applicant is requesting DMU zoning to redevelop these lots with office uses. The property is located within the Northwest District in the Downtown Area Plan. The Downtown Area Plan calls for DMU 60 for these tracts (*please see attached Exhibit D-Downtown Austin Plan Exhibits*).

The staff recommends DMU-CO, Downtown Mixed Use-Conditional Overlay Combining district, zoning. The proposed zoning is compatible and consistent with surrounding land uses and zoning patterns in this area and with the recommendations of the Downtown Area Plan.

The applicant agrees with the staff's recommendation.

BASIS OF RECOMMENDATION:

1. The proposed zoning should be consistent with the purpose statement of the district sought.

Downtown Mixed Use district is intended for areas on the periphery of CBD classifications in the central core area, permitting a variety of uses compatible with downtown Austin and allowing intermediate densities as a transition from the commercial core to surrounding districts. Site development regulations are intended to permit combinations of office, retail, commercial, and residential uses within a single development.

2. *The proposed zoning should promote consistency and orderly planning.*

The proposed DMU zoning would be consistent with the DMU-CO zoning located to the north of this site. There are office and low intensity commercial uses to the north, south, east and west of the property under consideration.

This property is located within the Northwest District in the Downtown Area Plan. The Downtown Area Plan calls for DMU 60 zoning for these tracts (*please see attached Downtown Austin Plan Exhibits – Exhibit E*).

3. *The proposed zoning should allow for a reasonable use of the property.*

The proposed DMU zoning would permit the applicant to redevelop the existing residential structures with office services.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	MF-4	Single Family Residences
<i>North</i>	DMU-CO	Personal Services (West End Salon), Vacant Office
<i>South</i>	GO, MF-4	Office (Nunis & Associates Attorneys), Residence
<i>East</i>	GO, LO	Offices (Deitch Professional Building, Ruwco Oil and Gas Corp, Habanero Oil and Gas, L.P., Law Offices, Headwaters Studio)
<i>West</i>	GO	Parking Lot, Personal Services (Crimson Hair Salon), Office (Shrum Taylor Law Firm)

NEIGHBORHOOD PLANNING AREA: Downtown Area Plan (Northwest District)

TIA: Deferred to the time of Site Plan

WATERSHED: Shoal Creek

SCHOOLS: Austin I.S.D.
Mathews Elementary School
O. Henry Middle School
Austin High School

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
Austin Lost and Found Pets
Austin Neighborhoods Council
Central Austin Community Development Corporation
City of Austin Downtown Commission
Friends of Austin Neighborhoods
Historic Austin Neighborhood Association
Homeless Neighborhood Association
Neighborhood Empowerment Foundation
Old Austin Neighborhood Association
Preservation Austin
SELTEXAS
Shoal Creek Conservancy
Sierra Club, Austin Regional Group
West Downtown Alliance, Inc.

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2021-0078 (Shoal Cycle: 812 W. 11th Street)	LO, GO, MF-4 to DMU-CO	6/22/21: Approved DMU-CO zoning, with the CO for a maximum height of 90 FEET, as applicant requested; with an additional condition that Office use above the 1 st floor is conditional (11-0, S. Praxis and C. Llanes-Pulido-abstained); J. Shieh-1 st , G. Cox-2 nd .	8/26/21: Approved DMU-CO, with CO for max 90ft height as rec. by PC, on all readings
C14-2019-0157 (603 W. 8th St.)	GO-H, GO-MU-H, and GO to DMU-H	Case expired per Mayor's Order No. 20211220-036 (Permit Expiration Date and Extension)	N/A
C14-2019-0156 (707 Rio Grande Street)	GO to DMU-CO	1/14/20: Approved staff rec. of DMU-CO zoning by consent (10-0, C. Hempel and P. Seeger-absent; C. Llanes-Pullido-off the dais); J. Thompson-1 st , C. Kenny-2 nd .	2/20/20: Approved DMU-CO as PC rec w/ additional CO for prohibited uses as agreed to by OANA and the applicant: Bail Bond Services, Cocktail Lounge, Exterminating Services, Funeral Services, Hospital Services (General and Limited), Liquor Sales, Limited Warehousing and Distribution, Outdoor Entertainment and Pawn Shop Services on 1 st reading. 3/12/20: Approved DMU-CO on 2 nd /3 rd readings.
C14-2017-0074 (Gilfillan Place: 603 W. 8th St.)	GO-H, GO-MU, and GO to DMU-H	6/19/17: Case expired	N/A
C14-2016-0034 (701 Rion Grande St.	GO to DMU	5/24/16: Approved DMU-CO, with 60 ft height limit.	6/16/16: Approved DMU-CO, with a 60 ft height restriction (11-0); on all 3 readings
C14-2015-0111 (Gilfillan House: 603 W. 8 th St.)	GO-H to DMU-H	7/30/16: Case expired	N/A
C14-2013-0147 (707 West Ave.)	CS-CO to DMU	2/25/14: Approved staff's rec. of DMU-CO by consent (9-0)	6/12/14: Approved DMU-CO; w/ CO for height maximum 60 feet, vehicle trips limited to 2,000/day, by consent (7-0); on all 3 readings.
C14-2012-0105 (702 San Antonio St.)	DMU-H-CO to DMU-H-CO		1/08/12: Approved DMU-H-CO zoning, with fewer than 2000 trips/day, prohibited uses: Auto sales, repair washing or service station; Services including

			counseling, exterminating, financial, local utility, bail bond, guidance; pawn shop; Telecommunications tower, residential treatment, restaurant (limited); and outdoor entertainment. Height maximum 70 feet, 15 foot building setback on San Antonio St.
C14-2012-0083 (Cirrus Rezoning: 602-702 West Ave. and 800 West 6 th St.)	DMU-CO- CURE to DMU-CURE for Tract 1 and LO, GO to DMU for Tract 2	4/09/13: Approved DMU-CURE- CO zoning for Tract 1 and DMU- CO zoning for Tract 2, with the inclusion of the prohibited uses submitted by the neighborhood (9-0); J. Northey-1 st , R. Hatfield- 2 nd .	4/25/13: Approved DMU- CURE zoning for Tract 1 and DMU zoning for Tract 2 (5-1, K. Tovo-no, M. Martinez- absent); B. Spelman-1 st , S. Cole- 2 nd . 5/23/13: Approved DMU- CURE for Tract 1 and DMU- CO for Tract 2 on 2 nd reading (6-0) 6/06/13: Approved DMU- CURE for Tract 1 and DMU- CO for Tract 2 on 3 rd reading. (7-0).
C14-2011-0058 (707 West Ave. Rezoning)	GO to CS	7/25/11: Approved staff's rec. CS-MU-CO zoning, with added rec. that the applicant execute a restrictive covenant to agree to DMU rezoning after their planned uses are added to DMU in the LDC (5-1, D. Chimenti-No, R. Hatfield-abstain, M. Dealey- absent)	8/25/11: Approved CS-CO zoning by consent (7-0); B. Spelman-1 st , L. Morrison-2 nd . 10/06/11: Approved CS-MU- CO zoning, the CO that permits all GO uses, allows only 3 CS uses: Electronic Prototype Assembly, Electronic Testing and Research Services and limit the site to GO site development regulations (7-0); on 2 nd /3 rd readings
C14-2011-0036 (507 Nueces Street)	GO to DMU	5/24/11: Approved DMU zoning (6-0, D. Chimenti and D. Anderson-absent); M. Dealey-1 st , S. Kirk-2 nd .	6/23/11: Approved DMU-CO zoning on consent (7-0); B. Spelman-1 st , L. Morrison-2nd on 2 nd /3 rd readings.
C14-2011-0006 (701 & 711 West 7 th Street Rezoning)	GO, GR to CBD	1/14/11: Approved DMU-CURE zoning (5-2, R. Hatfield and T. Bui-No, S. Kirk-absent); D. Chimenti-1 st , M. Dealey-2 nd .	7/25/11: Approved CBD-CO zoning, the CO for 375 max height, no less than 50% of the net sq ft of the building for residential use, at least one floor of underground parking, 2,000 trips per day limitation, use entitlements restricted to those

			<p>permitted under DMU zoning and limit the use entitlements by prohibiting the following: any use that would require and outdoor music permit, pawn shop services and bail bond services (5-2, L. Morrison and K. Tovo-No); S. Cole-1st, C. Riley-2nd.</p> <p>8/25/11: Approved CBD-CO on 2nd/3rd readings (5-2, L. Morrison and K. Tovo-No); M. Martinez-1st, B. Spelman-2nd.</p>
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RELATED CASES: N/A

EXISTING STREET CHARACTERISTICS:

<u>Name</u>	<u>ROW</u>	<u>Pavement</u>	<u>Classification</u>	<u>Sidewalks</u>	<u>Bicycle Route</u>	<u>Capital Metro</u> <u>(within ¼ mile)</u>
West Ave.	70'	36'	Level 2	Yes	Wide Curb Lanes	Yes

OTHER STAFF COMMENTS:

Comprehensive Planning

Approved. No comments.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Zoning district impervious cover limits apply in the Urban Watershed classification.

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 sq. ft. cumulative is exceeded, and on site control for the two-year storm.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Fire

No comments.

Site Plan

Site plans will be required for any new development other than single-family, two-family or duplex residential.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

This tract is already developed and the proposed zoning change is a footprint within the existing development. The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

Transportation

ASMP Assessment

The Austin Strategic Mobility Plan (ASMP) calls for 80 feet of right-of-way for West Ave. It is recommended that 40 feet of right-of-way from the existing centerline should be dedicated for West Ave according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

Transportation Assessment

Assessment of required transportation mitigation, including the potential dedication of right of way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. A traffic impact analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

Water Utility

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments

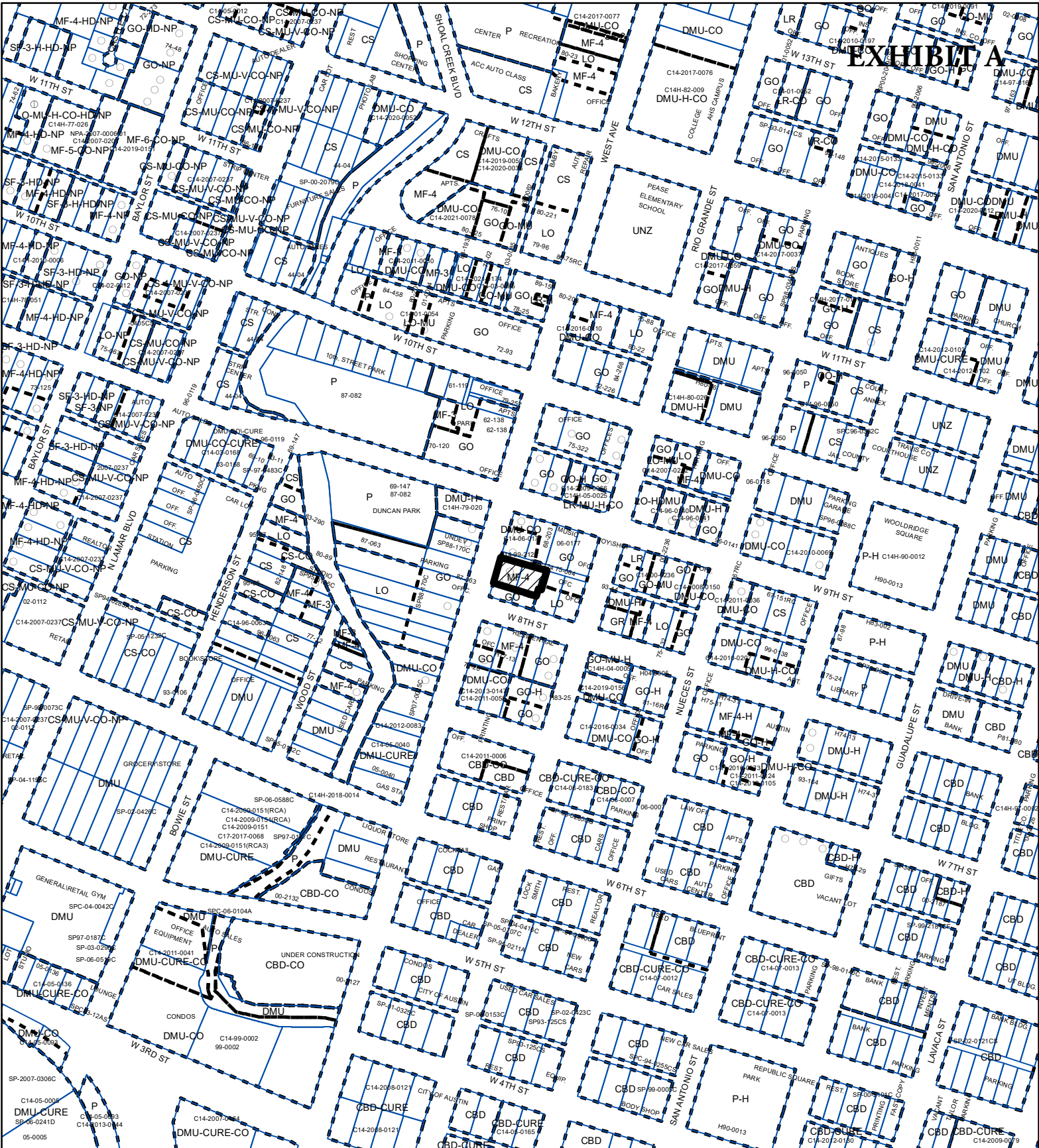
required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance.

Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin.

The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Map
- C. Property Survey
- D. Applicant's Amendment Request Letter
- E. Downtown Austin Plan Exhibits



ZONING

ZONING CASE#: C14-2022-0055

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

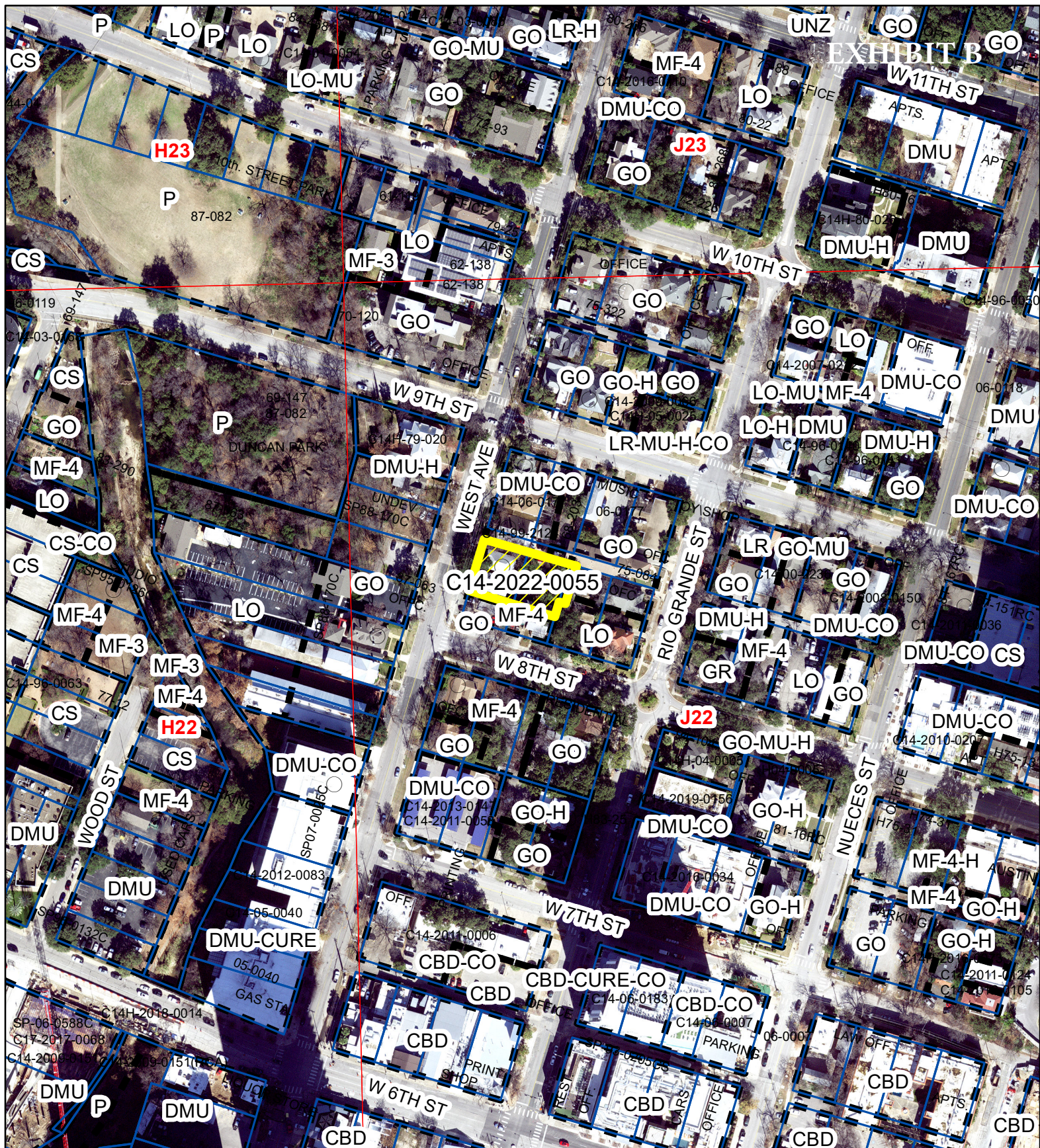
1" = 400'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

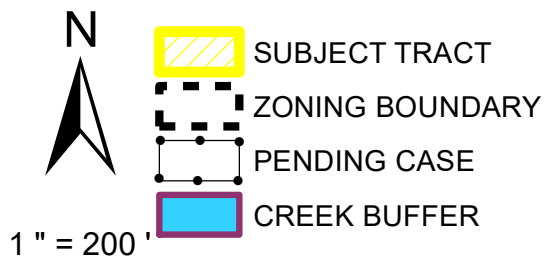
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Created: 5/2/2022



803 West Avenue



ZONING CASE#: C14-2022-0055
 LOCATION: 803 West Avenue
 SUBJECT AREA: 0.12 Acres
 GRID: J22
 MANAGER: Sherri Sirwaitis



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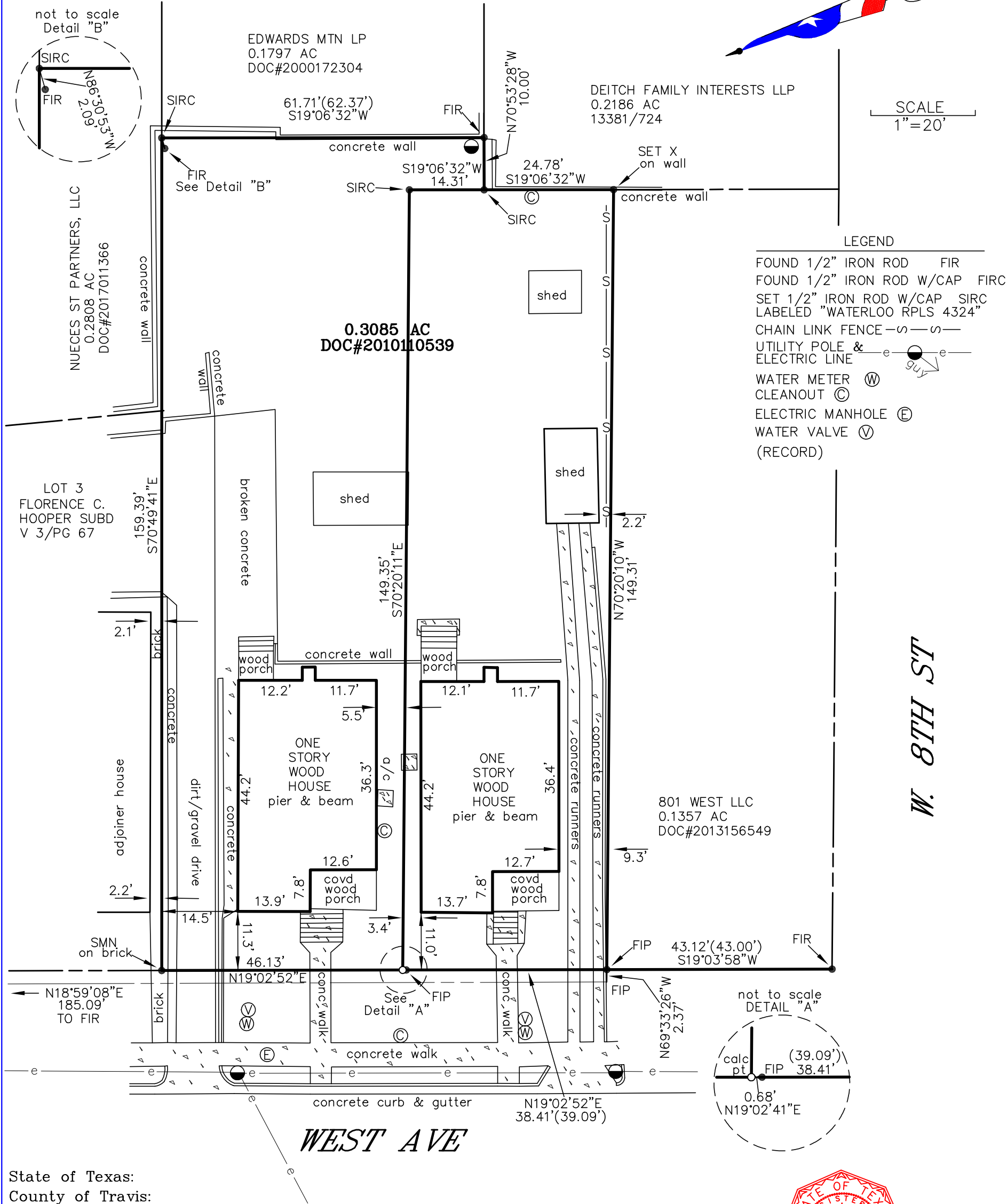
Created: 5/31/2022

OWNER:
EDSAM INGRAM AND HELEN INGRAM
ADDRESS:
803 AND 803 1/2 WEST AVE

Waterloo Surveyors
SURVEY PLAT

EXHIBIT C A0313

LEGAL DESCRIPTION:
BEING 0.3085 ACRE, (0.308 AC) OF LAND OUT OF LOTS 1, 2 AND 3,
BLOCK 104, ORIGINAL CITY OF AUSTIN, ACCORDING TO THE MAP OR
PLAT FILED IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS
AND BEING ALL OF THAT TRACT CONVEYED TO EDSAM INGRAM AND
HELEN INGRAM BY GENERAL WARRANTY DEED RECORDED IN DOCUMENT
NO. 2010110539, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.



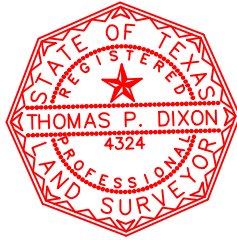
State of Texas:
County of Travis:

The undersigned does hereby certify that this survey was this day made on the property legally described hereon and is correct, and this survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1B Condition II Survey.

And I certify that the property shown hereon IS NOT within a special flood hazard area as identified by the Federal Insurance Adm. Department of HUD flood hazard boundary map revised as per Map Number: 48453C0465K

Zone: X Dated: JANUARY 21, 2020

Survey Dated this the 25TH day of JANUARY, 202 2.



[Signature]

Thomas P. Dixon R.P.L.S. 4324
FIRM#10124400



Harrison-Pearson *Since 1918*

June 14, 2022

RE: Request for Zoning Amendment at 803 and 803 ½ West Ave

Dear: Ms. Sirwaitis,

I would like to formally request a change to the original GO to DMU Zoning for the above address. We feel this is better suited for the area and our desired use.

Please do let me know if you need anything else.

All the best.

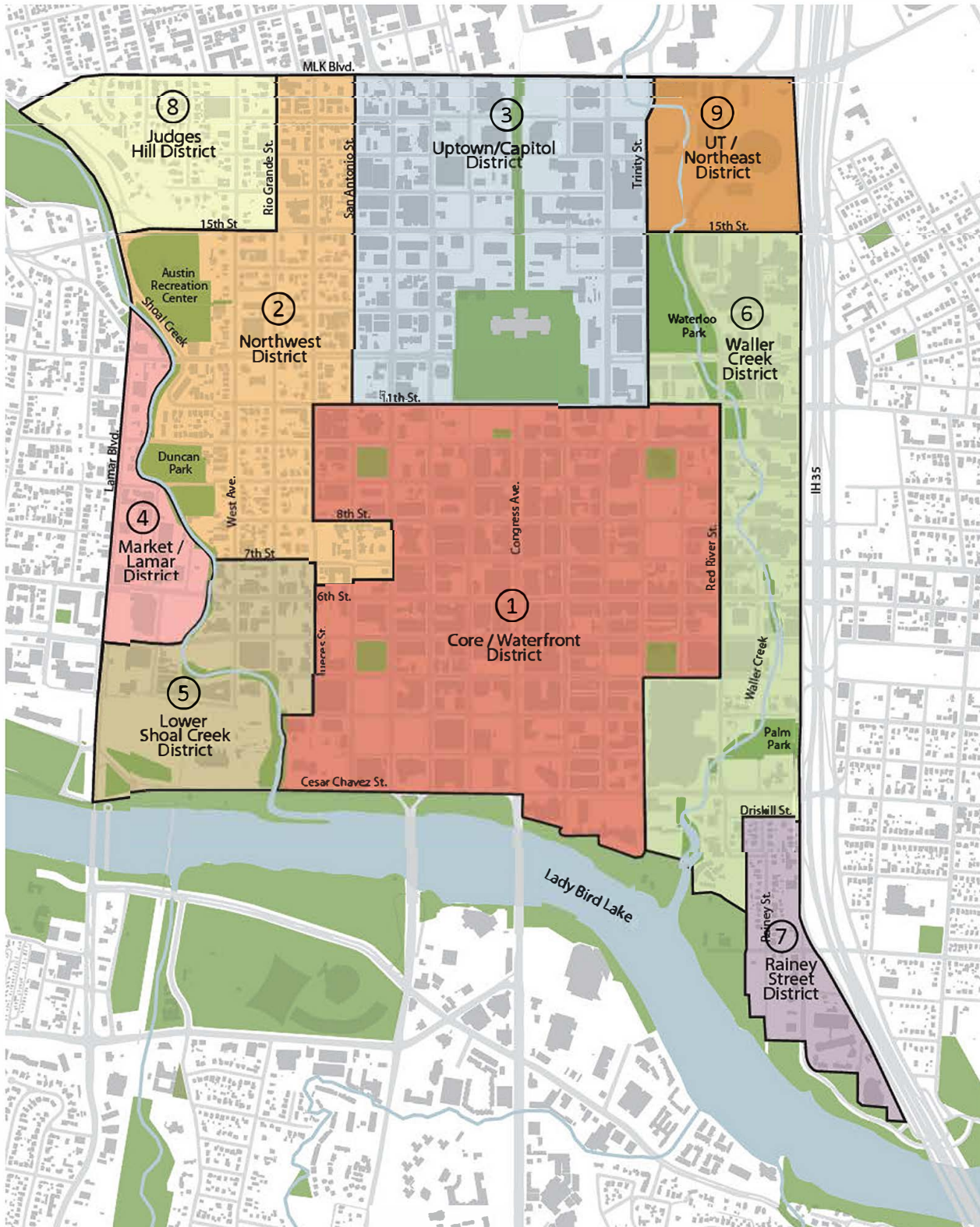
A handwritten signature in blue ink, appearing to read "S. Pritchard", with a large, stylized loop at the end.

Samuel T. Pritchard

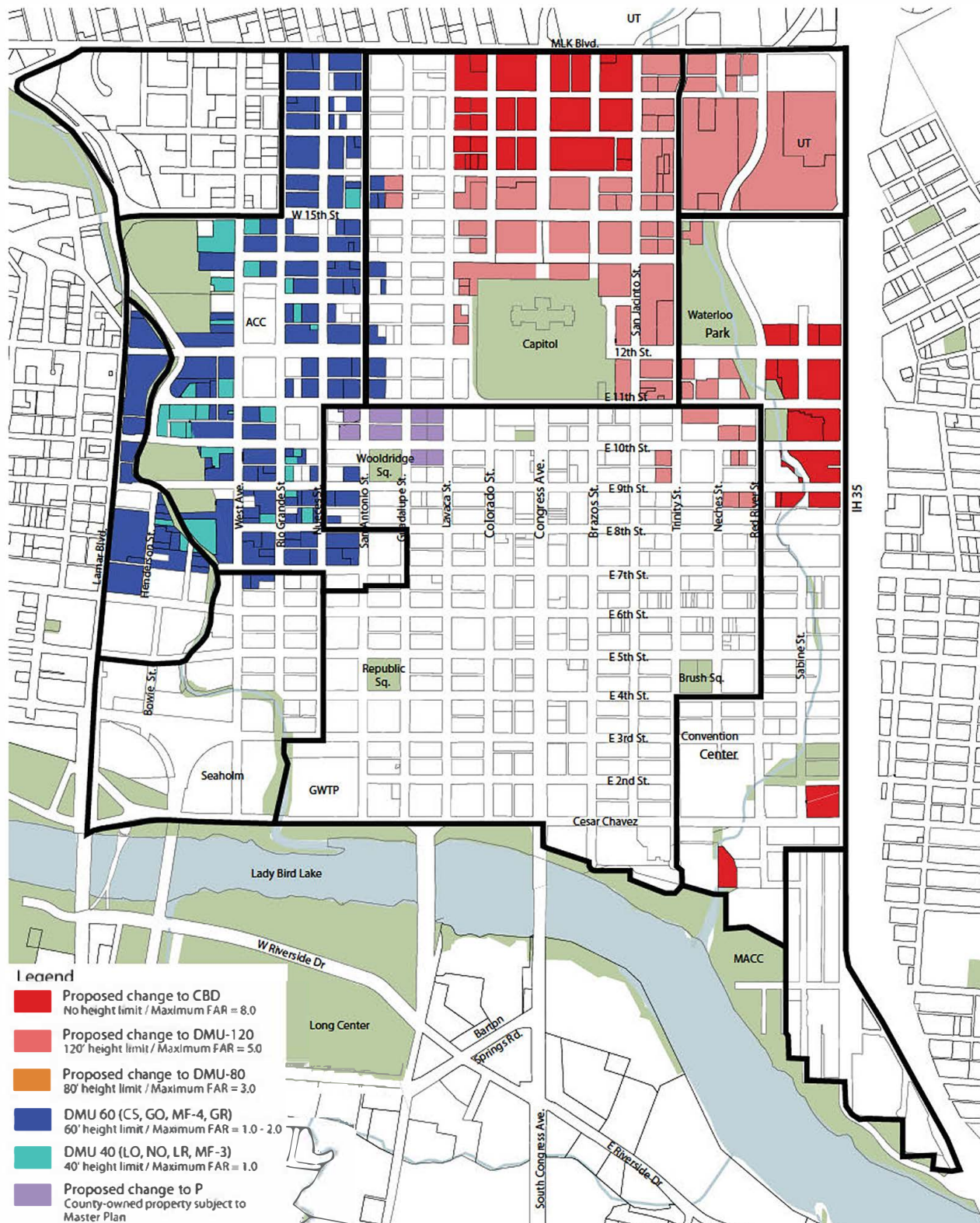
Owner/Broker

Harrison Pearson Assoc. Inc.

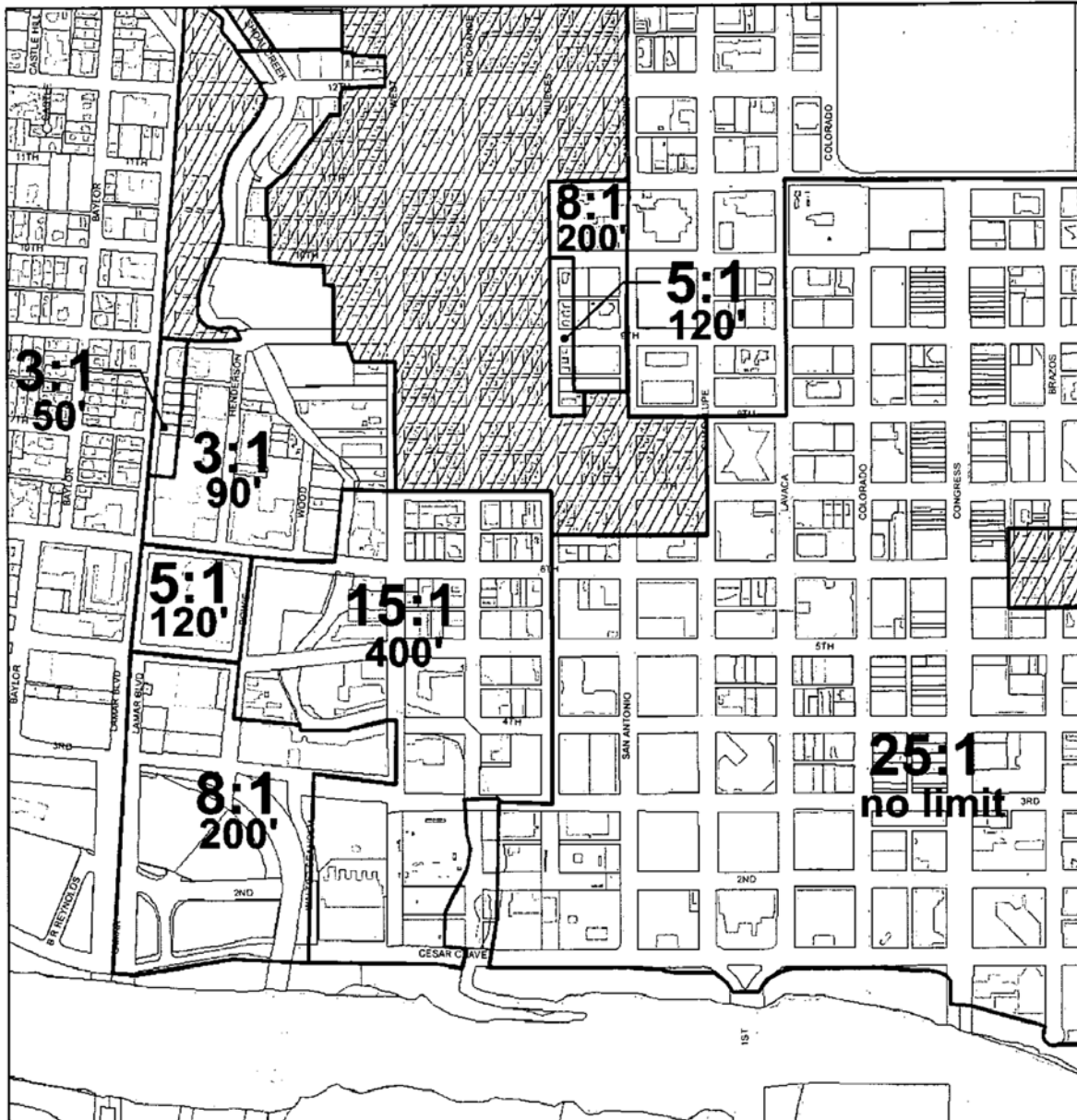
512-332-1864



Downtown Districts Map



Proposed Downtown Zoning Changes



Downtown Density Bonus Program - Eligibility, Floor Area Ratio (FAR) and Height Map
Figure 2: Page 6

- Maximum Floor Area Ratio (FAR)
- Maximum Height (Feet)
- Areas Ineligible for Density Bonus Program (Height and density may not exceed underlying zoning)
- Public Parks/ Open Space (ineligible)
- TCAD Parcels

NOTE: Properties in the Rainey Street Subdistrict of the Waterfront overlay must obtain a floor-to-area ratio (FAR) of up to 8:1 by meeting the requirements of Section 25-2-739 of the City Code. FAR exceeding 8:1 may be obtained through the Downtown Density Bonus Program, as described in Section 25-2-586 of the City Code.

NOTE: Maximum heights shown do not reflect restrictions imposed by Capital View Corridors (CVC) or special districts.

0 0.05 0.1 0.2 Miles



PLANNING AND
DEVELOPMENT REVIEW
DEPARTMENT

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1/27/2014

- (4) The maximum heights and maximum floor-to-area ratios on Figure 2 do not modify a site's primary entitlement. If the maximum height or maximum floor-to-area ratio allowed under a

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to participate in a public hearing, you are not required to participate. This meeting will be conducted both online and in-person at which you will have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for further information on how to participate in the public hearings. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

Staff is conducting a pilot program to receive case-related comments online which can be accessed through this link or QR code:
<https://bit.ly/ATXZoningComment>.



During its public hearing, the board or commission may postpone or continue an application's hearing to a later date or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and will be published online.

Case Number: C14-2022-0055

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: July 12, 2022, Planning Commission

JAMES GEISTER

Your Name (please print)

901 W 9TH ST

Your address(es) affected by this application (optional)

James Geister

Signature

7/6/22

Date

Daytime Telephone (Optional): 512-415-1909

Comments: HEIGHT AND DENSITY IS
TO MUCH FOR NEIGHBORHOOD AND
INFRASTRUCTURE.

If you use this form to comment, it may be returned to:

City of Austin, Housing & Planning Department

Sherri Sirwaitis

P. O. Box 1088, Austin, TX 78767

Or email to:

sherri.sirwaitis@austintexas.gov

From: Darren Rambaud
To: [Sirwaitis, Sherri](#)
Subject: C14-2022-0055 (September 1, 2022 - City Council)
Date: Monday, August 15, 2022 10:45:18 AM

*** External Email - Exercise Caution ***

Sherri Sirwaitis or City of Austin, Housing & Planning Department,

In regards to **C14-2022-0055**, I am in favor of the proposed zoning change from MF-4 to DMU on 803 and 803 1/2 West Avenue. As a person that has recently moved to this area, I look forward to more businesses, restaurants, and housing that is within a walkable distance.

I look forward to the public hearing on September 1, 2022.

Darren Rambaud
904 West Avenue Ste 205
Austin, TX 78701

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